



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**PRELIMINARY AMENDMENT
TRANSMITTAL LETTER**

Docket Number
11411/11503

Application No.
10/799,028

Filing Date
March 11, 2004

Examiner
Not Yet Known

Art Unit
1761

Invention Title:
**FOOD SUPPLEMENT FOR INCREASING LEAN MASS
AND STRENGTH**

Inventor(s)
Paul T. GARDINER et al.

Address to:

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 25, 2004.


John F. Resek (Reg. No. 52,162)

Sir:

Transmitted herewith is a Preliminary Amendment in the above-identified application:

1. No additional claim fees are believed due.
2. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
 - A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
 - D. Any additional document supply fees under 37 C.F.R. § 1.19;
 - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

3. A duplicate copy of this letter is enclosed.

Dated: August 25, 2004

By: _____

John F. Resek (Reg. No. 52,162)

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1FW


PATENT
11411/11503

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Paul T. GARDINER et al.
Serial No. : 10/799,028
Filed : March 11, 2004
For : Food Supplement for Increasing Lean Mass and Strength
Examiner : Not Yet Known
Art Unit : 1761

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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John F. Resek (Reg. No. 52,162)

PRELIMINARY AMENDMENT

Dear SIR:

Kindly amend the above-identified application before examination, as set forth below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.